UNITED
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Security Council

Distr.
GENERAL

S/1995/633
1 August 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 31 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I should like to transmit to you our reply to the declaration issued by the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America on the occasion of the tenth review of the sanctions imposed on the Libyan Arab Jamahiriya by the Security Council in its resolution 748 (1992).

The Great Jamahiriya has accepted resolution 731 (1992), complied with the requests contained therein, condemned all forms of terrorism, severed its relations with all organizations suspected of resorting to terrorism and cooperated with the United Kingdom and France in the areas in which its cooperation was requested. It has also requested you to dispatch a committee to ascertain the spuriousness of the United States allegations regarding the presence of training camps for terrorists in Libyan territory and has advanced positive initiatives to resolve the problem of the trial of the two accused in the Lockerbie case, the most recent being acceptance of the proposal of the League of Arab States to hold a trial at the seat of the International Court of Justice, with Scottish judges and under Scots law. This proposal has obtained the support of the Non-Aligned Movement, the Organization of African Unity and the Organization of the Islamic Conference.

The Great Jamahiriya has notified you and the Security Council of the impossibility of extraditing the accused either to the United Kingdom or to the United States, because that would be counter to Libyan national law and all international laws and customs, particularly in the absence of an extradition agreement between Libya and those two States. Moreover, the Montreal Convention for the Suppression of Unlawful Acts against Civil Aviation, to which the States involved in this case are parties, does not provide for extradition but, on the contrary, accords the right to try the case to the Libyan Arab Jamahiriya.

The denial of this by the three Western States is not based on logic or law and reflects an obduracy that can lead only to a further accumulation of the human and property losses to which the Libyan Arab people and neighbouring peoples are exposed, as well as to intensification of the suffering of the families of the victims.

The Libyan Arab Jamahiriya, like the other parties to this case, has an urgent interest in having the trial of the two accused held as soon as possible, but in a neutral venue. To say that that does not respond to the Security Council's requests is a statement devoid of truth. The Security Council does not, in our view, seek through its resolutions to humiliate the Great Jamahiriya but rather to achieve justice and reveal the truth, which is the purpose of the above-mentioned proposal of the League of Arab States.

With regard to the reference contained in the tripartite declaration to the case of Libyan pilgrims and the description of their airflight to the holy land as a violation of the sanctions imposed on the Great Jamahiriya, we should like to reiterate what we stated to the Chairman of the Committee on sanctions, namely, that the Jamahiriya has not, and will not, violate those sanctions; however, the issue of Libyans' performance of their religious rites is a different matter, for this is, primarily, a question of the performance of religious rights, which is not subject to authorization from anyone, whether it be the Security Council or the world as a whole. This is a matter governed by the principle that "an act of obedience on the part of a creature ceases to be obedience if it entails disobeying the Creator". They must understand quite clearly that the Libyan people will perform its religious rites in all freedom and will not be deterred from that by any force on earth until such time as God inherits the earth and all who are upon it.

Lastly, we would inform you that the Libyan Arab Jamahiriya adheres to international legitimacy and respects it fully, as is clear from the fact that it has referred all its disputes with other States to the International Court of Justice and has respected its Judgments, whether in its favour or against.

In response to Security Council resolution 731 (1992), it has implemented the provisions thereof and has expressed its ongoing desire for the resolution of the problem in accordance with the provisions of Chapter VI of the Charter of the United Nations. It requests you to prevail upon the other parties to make a speedy response to its peaceful initiative, in the service of international peace and security and to the exclusion of policies based on threats and blackmail. These are of no avail, particularly in respect of a people such as the Libyan Arab people. One half of the population has faced martyrdom in the cause of freedom, dignity and honour, and its ardent love of martyrdom for the sake of these same goals remains undiminished.

I request you to have this letter circulated as a document of the Security Council.

(Signed) Mohamed A. AZWAI
Permanent Representative of the
Great Jamahiriya to the United Nations

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Security Council

Distr.
GENERAL

S/1995/634
1 August 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 31 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 11-20 July 1995.

11 July 1995

1. Northern region: 16 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Zakho, Dohuk, Tall Afar and Amadiyah.

2. Southern region: 70 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Salman, Jalibah, Busayyah, Chabaish and Artawi.

3. On 11 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0845 hours and left in the direction of Kuwait at 1005 hours.

The second flight entered Iraqi airspace at 1217 hours and left in the direction of Kuwait at 1312 hours.

12 July 1995

1. Northern region: 8 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Dohuk, Zakho, Aqrah, Amadiyah and the area to the north of Mosul.

2. Southern region: 88 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Nasiriyah, Samawah, Qal'at Salih, Jalibah, Artawi and Busayyah.

13 July 1995

Southern region: 38 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Nasiriyah, Samawah, Salman, Jalibah and Artawi.

14 July 1995

1. Southern region: 38 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Jalibah, Busayyah, Amarah, Qal'at Salih and Chabaish.

2. On 14 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0412 hours and left in the direction of Kuwait at 0500 hours.

The second flight entered Iraqi airspace at 0645 hours and left in the direction of Kuwait at 0803 hours.

15 July 1995

1. Northern region: 8 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Tall Afar, Zakho and Amadiyah.

2. Southern region: 46 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Shu'aybah, Qurnah, Samawah, Jalibah, Artawi and Busayyah.

16 July 1995

1. Northern region: 8 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Mosul, Irbil, Dohuk, Aqrah, Amadiyah and Tall Afar.

2. Southern region: 66 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Basra, Nasiriyah, Samawah, Salman, Jalibah, the area to the south of Najaf, Artawi and Busayyah.

17 July 1995

1. Southern region: 78 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Qurnah, Chabaish, Salman and Busayyah.

2. At 2200 hours on 17 July 1995 a hostile two-aircraft formation dropped a heat flare on the city of Basra.

18 July 1995

1. Northern region: 16 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Ayn Zalah and Amadiyah.

2. Southern region: 68 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Nasiriyah, Samawah, Jalibah, Artawi, Busayyah and Salman.

19 July 1995

1. Northern region: 10 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Dohuk, Amadiyah, Tall Afar and Mosul.

2. Southern region: 41 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Nasiriyah, Qal'at Salih, Samawah, Busayyah and Artawi.

3. At 1015 hours on 19 July 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 1215 hours.

20 July 1995

1. Northern region: 10 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

2. Southern region: 65 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Salman, Busayyah, Jalibah, Qurnah and Artawi.

3. On 20 July 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0900 hours and left in the direction of Kuwait at 1025 hours.

The second flight entered Iraqi airspace at 1205 hours and left in the direction of Kuwait at 1230 hours.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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General Assembly
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Distr.
GENERAL

A/49/950
S/1995/635
1 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 31 July 1995 from the Permanent Representative of Brunei Darussalam to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued by the Foreign Ministers of the Association of South-East Asian Nations (ASEAN) on the situation in Bosnia and Herzegovina on 28 July 1995

I should be grateful if you would have the text of this letter and its annex circulated as a document of the forty-ninth session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Pengiran ABDUL MOMIN
Permanent Representative
to the United Nations

95-22823 (E) 010895 020895

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Annex

Statement dated 28 July 1995 by the Foreign Ministers of the Association of South-East Asian Nations on the situation in Bosnia and Herzegovina

1. The Foreign Ministers of ASEAN discussed the extremely grave situation in Bosnia and Herzegovina and condemned the seizure of the United Nations safe areas of Srebrenica and Zepa by the Bosnian Serb forces as well as their attacks on the safe areas of Bihac, Gorazde and Sarajevo. They demand the immediate withdrawal of the Bosnian Serb forces from Srebrenica and Zepa. They support all international efforts to put a stop to the continuing aggression, strangulation of the United Nations safe areas, ethnic cleansing and genocide in the Republic of Bosnia and Herzegovina by the Bosnian Serbs, which constitute flagrant violations of international humanitarian law and Security Council resolutions.

2. They express their profound anguish at the failure and paralysis of the United Nations mission in the Republic of Bosnia and Herzegovina in responding and addressing the fast-deteriorating situation in that country. They call upon the United Nations, in particular the Security Council to authorize the United Nations Protection Force (UNPROFOR) to use all necessary measures to protect the United Nations safe areas in accordance with all relevant Security Council resolutions. They also call on the United Nations and the North Atlantic Treaty Organization (NATO) to protect, defend and secure the lifelines to all United Nations safe areas, in particular Sarajevo.

3. They condemn the open and blatant attacks on UNPROFOR personnel by the Serbs. They support the continuing presence of UNPROFOR in Bosnia and Herzegovina. They call upon UNPROFOR to respond appropriately in order to enable it to carry out its mandate in Bosnia and Herzegovina effectively.

4. The Foreign Ministers accept the right of the Republic of Bosnia and Herzegovina to self-defence in accordance with Article 51 of the Charter of the United Nations, and the legitimate right of the Government of the Republic of Bosnia and Herzegovina to request and receive military assistance. They therefore support the lifting of the United Nations arms embargo imposed on Bosnia and Herzegovina as called for in paragraph 22 of General Assembly resolution 49/10 adopted on 3 November 1994.

5. They also support the sovereign and national right of Croatia to regain the territories seized and now under the control of the Serbs.

6. They regret the failure of the Security Council to find a just and durable settlement and call upon the permanent members of the Council effectively to bring an end to the tragedy and achieve peace in Bosnia and Herzegovina. They pledge their readiness to support international efforts to realize this objective.

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General Assembly
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GENERAL

A/50/320
S/1995/636
1 August 1995
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Fiftieth session
Item 70 of the provisional agenda*
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Fiftieth year

Letter dated 31 July 1995 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

In my letter dated 5 December 1994 addressed to you (A/49/760-S/1994/1386), I called your attention to the fact that the United States had transferred 600 kilograms of radioactive uranium ready to be used in nuclear-weapons manufacture from the Republic of Kazakstan and had stored it at United States nuclear facilities in Tennessee.

In the letter in question, I pointed to the negative effects this action could have. This is particularly so in the absence of any guarantees to prevent the use of such material for military purposes and given that there are no procedures to ensure that it is not surreptitiously passed on to a particular party, namely Israel, that has the closest links with the United States of America with respect to nuclear cooperation in the military field. Although a great deal of time has elapsed since we first raised this issue - one that involves activities that are in violation of international agreements and represent an impediment to efforts aimed at eliminating nuclear materials - no measures have yet been taken to trace the uranium or to determine what has become of it.

In order to avoid any adverse consequences that may ensue from the United States of America retaining possession of this uranium, we again stress the need for urgent measures to be taken to trace and destroy it. These measures must be taken with the supervision of the International Atomic Energy Agency (IAEA) and under the authority of the Security Council in accordance with its responsibilities for the maintenance of international peace and security.

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* A/50/150.

We are of the view that, if the United States refuses to cooperate in this regard and if the Security Council fails to require the United States Government to report and destroy the uranium in the proper manner, any State will be entitled to acquire and store any amount of uranium that it deems sufficient for its needs, and thus break the monopoly of a particular State on the acquisition and stockpiling of this material, and neither the Security Council nor IAEA nor the United States of America itself will have any right to object.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under item 70 of the provisional agenda, and of the Security Council.

(Signed) Mohamed A. AZWI
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/637
1 August 1995

ORIGINAL: ENGLISH

LETTER DATED 1 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, of today's date, from my Minister for Foreign Affairs, addressed to you.

May I ask for your kind assistance in circulating the present letter and its attachment as a document of the Security Council.

(Signed) Ivan Z. MISIC
Chargé d'affaires a.i.

95-22855 010895 (E) 020895

Annex

Letter dated 1 August 1995 from the Minister for Foreign Affairs of Bosnia and Herzegovina addressed to the President of the Security Council

The region and "safe area" of Bihac continue to be under assault by the Karadzic Serbs and, from across the border within the occupied territories of the Republic of Croatia, by the Croatian Serbs and other paramilitary forces allied with them. This coordinated assault and cross-border aggression further aggravate a most alarming humanitarian situation.

Despite the most recent promises of the Croatian Serbs, relayed by the Secretary-General's Special Envoy, Mr. Yasushi Akashi, neither has there been a withdrawal nor has humanitarian assistance been allowed to reach the completely encircled Bihac region. To the contrary, the assault and humanitarian strangulation continue.

Once again, we call upon the United Nations and, by extension, the North Atlantic Treaty Organization (NATO), to meet their commitment to respond to the assault upon the Bihac region and "safe area". We also reaffirm our request under the Split declaration of 22 July 1995, to the Republic of Croatia, under Article 51 of the Charter of the United Nations, to assist in helping the Republic of Bosnia and Herzegovina to repel the aggression, relieve the humanitarian situation and lift the siege of Bihac.

Were it not for the request to the Republic of Croatia and the ensuing response, and the determined and courageous efforts of the Army of the Republic of Bosnia and Herzegovina and the HVO in defending their homes, the situation in the Bihac "safe area" would only continue to deteriorate in view of the lack of response from the United Nations and NATO.

(Signed) Muhamed SACIRBEY

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Distr.
GENERAL

A/50/321
S/1995/638
1 August 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 28 of the provisional agenda*
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 1 August 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Bosnia and Herzegovina to the
United Nations addressed to the Secretary-General

I have the honour to present to you the attached letter dated 1 August 1995 from H.E. Mr. Haris Silajdžić, Prime Minister of the Republic of Bosnia and Herzegovina, addressed to you.

May I ask for your kind assistance in circulating this letter as a document of the General Assembly under item 28 of the provisional agenda, and of the Security Council.

(Signed) Ivan Z. MISIC
Chargé d'affaires a.i.

* A/50/150.

95-22872 (E) 010895 020895

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Annex

Letter dated 1 August 1995 from the Prime Minister of the Republic of Bosnia and Herzegovina addressed to the Secretary-General

We believe that you are well aware of the following:

1. In the area of Žepa, there remain 2,865 civilians who have not been evacuated, who have no contact with anybody in the outside world and who have not been supplied with food for more than 30 days. They are hiding in woods and caves. The United Nations Protection Force (UNPROFOR), which has a presence in the area of Žepa, has not been able either to establish contact with them or to send patrols into the area. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) have no presence there at all.

2. In Bihać, people have been dying of starvation for a long time. With the new offensive of the Serb aggressor forces from the so-called Serb Republic of Krajina and from the temporarily occupied territories of the Republic of Bosnia and Herzegovina, a new wave of more than 10,000 displaced persons has been created, which threatens to make the humanitarian situation absolutely catastrophic.

3. Humanitarian catastrophe is looming large in Sarajevo. In the past three months UNHCR delivered a total of 7,500 tons of food for 300,000 inhabitants, which represents less than 1 kilogram of food per person per month. All food stocks have been exhausted. UNPROFOR and UNHCR had initiated aid deliveries through the Mount Igman road, the only route by which it remains possible to bring the food in without interference of the Serb aggressor forces, but such operations were suspended by the decision made in Zagreb.

At the meeting held on 31 July 1995, the highest officials of UNPROFOR informed us that the political decision they had received from Zagreb required them to use roads controlled by Serbs to the maximum possible extent and to cease aid deliveries for Sarajevo by way of the Igman road. For us, it means that UNPROFOR and UNHCR received orders to implement faithfully the siege of Sarajevo as dictated by Serbs. We were also told that humanitarian deliveries across Mount Igman would resume as soon as such a political decision is made within the United Nations.

In the context of the above, our demands are as follows:

1. UNPROFOR must, without delay, initiate patrolling in the area of Žepa controlled by the Army of the Republic of Bosnia and Herzegovina, establish contacts with the inhabitants and the civilian authorities in this region and resume safe evacuation of the civilian population until the entire population is "humanely relocated" as begun by UNPROFOR in cooperation with the international community and the Serb aggressor forces. Also, we demand immediate delivery of humanitarian aid to Žepa by land convoys or by means of air drop.

2. Deliveries of humanitarian aid for Bihać, either by land convoys or by air drop, must resume immediately, and UNHCR should assume the duty to provide accommodation for new displaced persons. UNPROFOR is bound, in cooperation with the North Atlantic Treaty Organization (NATO), to put a stop to offensives against the civilian population in the "safe area" of Bihać and to relieve blocked UNPROFOR units in order for them to resume the mission they had been brought there for.

3. United Nations structures must make the political decision to deliver humanitarian aid for Sarajevo through the Igman route whenever it is not possible by roads under the control of the Serb aggressor forces, and the Rapid Reaction Force should be used to protect the convoys.

Our Government will reconsider all relations with UNPROFOR unless it finally secures humanitarian deliveries by the Tarčin-Igman-Hrasnica-Dobrinja route and if United Nations Peace Forces (UNPF) headquarters in Zagreb continues to prevent UNPROFOR and UNHCR in Sarajevo from undertaking this operation.

We are profoundly convinced that the United Nations, with the assistance of regional political and military organizations, has both the ability and the obligation to meet these demands. For us, this remains a question of the willingness, intentions and decisions of yourself and your associates, and not in the least one of the abilities and capabilities of those in charge of implementation.

(Signed) Haris SILAJDŽIĆ
Prime Minister

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Security Council

Distr.
GENERAL

S/1995/639
2 August 1995

ORIGINAL: ENGLISH

LETTER DATED 1 AUGUST 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to transmit herewith the text of the message dated 23 July 1995 addressed to you by Mr. Ali Akbar Velayati, Minister for Foreign Affairs of the Islamic Republic of Iran, on the question of Tajikistan.

It would be highly appreciated if this letter and its annex were circulated as a document of the Security Council.

(Signed) Gholamali KHOSHROO
Chargé d'affaires a.i.

95-22943 (E) 020895 030895

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Annex

Letter dated 23 July 1995 from the Minister for Foreign Affairs of the Islamic Republic of Iran addressed to the Secretary-General

Despite all efforts to settle the question of Tajikistan, disturbing events along the borders and inside Tajikistan were witnessed during the last month. This situation created a stalemate in the process of the crisis settlement. Therefore, it became imperative, in my view, to create an atmosphere where the stalemate could be overcome.

I now have the honour happily to inform you that, during the visit of H.E. Mr. Imam Ali Rahmanov, President of the Republic of Tajikistan, to Iran, a round of negotiations was held between the President and H.E. Seyed Abdullah Nouri, leader of the opposition groups, on 19 July 1995 in Tehran. As a result, a declaration was signed, in the presence of H.E. Mr. Hashemi Rafsanjani, President of the Islamic Republic of Iran, between the two sides. In this declaration, both sides expressed concern about non-implementation of the understandings reached during the inter-Tajik peace talks and agreed on terms of their efforts to adopt practical steps for implementing those understandings.

One of the most important issues upon which the President and leader of the opposition groups agreed was to establish a Consultative Assembly of Tajik Peoples to facilitate finding a solution to the political and social crises in Tajikistan. The Government and the opposition will be equally represented in this Assembly. The date and venue of the Assembly will be determined at the fifth round of the inter-Tajik peace talks. The declaration provides for the fifth round of inter-Tajik peace talks to be held sometime between 1 and 10 August 1995. The extension of cease-fire agreement signed in Tehran last year will also be on the agenda of the fifth round of the peace talks.

Moreover, the two leaders underscored the important role of the United Nations and other observer countries in the process of the settlement of the Tajikistan crisis.

I am glad to inform you that the signing of this document has created another turning-point in the inter-Tajik peace talks and has provided the necessary foundation and bases for peaceful settlement of Tajikistan crisis. Hence, the atmosphere is now more suited to further efforts of your Representative in expediting the process of establishing peace in Tajikistan. The Islamic Republic of Iran remains ready to help the mission of the United Nations. We hope, by the help of God and with the cooperation of the United Nations and observer countries, to witness tranquillity and the beginning of reconstruction in Tajikistan.